

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 1:06cr212

v.

Hon. Robert J. Jonker

ERIC SANDRELL CRAIG,

Defendant.

ORDER GRANTING MOTION FOR REDUCTION OF SENTENCE

This matter is before the Court on Defendant's Motion for Modification or Reduction of Sentence under 18 U.S.C. § 3582(c)(2) (docket # 26). The basis for the motion is the United States Sentencing Commission's retroactive reduction in the base offense level guideline for crack cocaine offenses, effective March 3, 2008, and amended on May 1, 2008. The Probation and Pretrial Services Department has submitted a Sentence Modification Report required by the Court. The Sentence Modification Report concludes, and all parties agree, that Defendant is eligible for a sentence reduction. Counsel for the government and for the Defendant have submitted Responses (docket entries #33 and #34), which the Court has reviewed and taken into consideration.

The Court has reviewed the public record in this matter, the original Presentence Report, the Sentence Modification Report, and the parties' responses. After considering the recommendations of interested parties, and the goals of sentencing under 18 U.S.C. § 3553(a), and consistent with the Sentencing Commission's Policy Statement, U.S.S.G. 1B1.10, the Court finds that Defendant is eligible for a reduction in sentence. The Court will reduce Defendant's custodial sentence to 120 months on each of Counts 1 and 2, to be served concurrently.

Accordingly, **IT IS ORDERED** under 18 U.S.C. § 3582(c)(2) that Defendant's Motion for Modification or Reduction of Sentence under 18 U.S.C. § 3582(c)(2) (docket # 26) is **GRANTED**, the sentence of imprisonment originally imposed is **REDUCED TO 120 MONTHS**. The sentence originally imposed remains in all other respects unchanged. Under Adm. Order 08-052, the Clerk is directed to reassign this case back to the Honorable Gordon J. Quist for all further proceedings.

/s/ Robert J. Jonker
Robert J. Jonker
United States District Judge

Date: September 8, 2010